

REMARKS

Paragraph 15 is amended to correct several typographical errors.

The Examiner has objected to Claims 6, 7, 9, 10, 14, 15, 19, and 20. Objected to Claims 7 and 20 have been cancelled. Objected to Claims 6, 9, 10, 14, 15, and 19 have been amended with the Examiner's objections in mind. Claim 8 has also been cancelled.

The Examiner has rejected Claims 1-3, 6, 7, 9-16, 19, and 20 under 35 USC 103(a) as being unpatentable over the DeBolt SPEEDVIEW. The Examiner says that SPEEDVIEW comprises "a column of indexing holes formed in grooves on each side of the view-through portion". However, the SPEEDVIEW does not have grooves on each side of the view-through portion, but merely has columns of holes. The SPEEDVIEW is described in Paragraph 4 of the specification which says: "A column of indexing holes on each side of a view through area (where the microscope views the sample in the plate through holes in the platforms of the indexing apparatus) of the indexing platform receives a pin extending from the base platform on each side of a view through area of the base platform to secure the index platform on the base platform in a selected position so that a row of wells can be viewed through the microscope by sliding the plate in the slideway. . . Further, the size of the pins and receiving holes ensure that the pins can only be placed in opposite holes of the columns to prevent the angling of the indexing platform on the base platform to ensure proper alignment of the rows of wells under the viewing area of the microscope." Thus, no grooves are described in the SPEEDVIEW. Two columns of alignment holes are described with the size and spacing of the holes and pins being described as the means of keeping the indexing platform in proper alignment on the base. There is thus no guide groove and no guide pin that is received in the guide groove as required by Claim 1. The SPEEDVIEW teaches the use of two columns of holes and two pins with the columns and the pins spaced apart sufficiently so that the pins can only fit into opposite column holes. In this way, proper alignment of the indexing platform on the base is assured when the two pins are received in two holes. No guide grooves are involved and none are suggested by the SPEEDVIEW arrangement.

The combination of a guide pin received in a guide groove and of indexing holes and an indexing pin as taught by the current invention allows closer spacing of the indexing holes while

still assuring proper alignment of the indexing platform on the base. It also allows easier adjustment of the indexing platform on the base. The Examiner bases his obviousness rejection on his view that "SPEEDVIEW differs from the claimed invention in that the indexing pins and the indexing holes of the SPEEDVIEW are situated on the base platform and the indexing platform, respectively, instead of the indexing platform and the base platform, respectively." The Examiner treats this as being merely an obvious reversal of parts or a switch in the location of parts. However, as indicated above, this is not just a switch in the location of parts, but the combination of different parts which operate in a different way.

Applicant submits that the combination of Claim 1 is not obvious from SPEEDVIEW, and that therefore Claim 1, and the remaining claims which are all dependent on Claim 1, should be allowable.

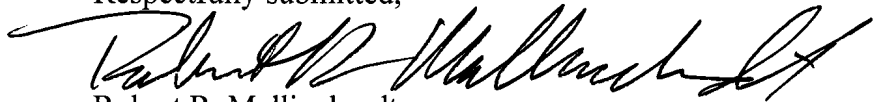
With respect to Claims 2 and 3, SPEEDVIEW does not show or suggest an indexing groove. SPEEDVIEW's holes are not in a groove, but are merely holes in the indexing platform.

With regard to Claim 12, SPEEDVIEW shows spaced apart, parallel rows of holes. It does not show or suggest alignment of a guide groove and an indexing groove.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

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Respectfully submitted,



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